

REMARKS

Applicants respectfully request reconsideration of the present application in view of the foregoing amendments and in view of the reasons that follow.

Claims 1-23 were pending. Claims 3, 9-11, 14, 15, and 17-19 have been canceled; claims 1, 2, 4-7, 12, 13, 16, and 20 have been amended; and claim 24 has been added. Claims 1, 2, 4-8, 12, 13, 16, and 20-24 are presented for reconsideration.

Applicants thank the examiner for the indication of allowable subject matter in claims 4, 12, and 13. Applicants have rewritten these claims in independent form including all of the limitations of the base claim and any intervening claims. Applicants submit that claims 4, 12, and 13 are now allowable.

Claim 6 is rejected under 35 USC 112, second paragraph, as indefinite because the language “first and second rear” lacks antecedent basis. Applicants have amended claim 6 to replace “first and second rear” with “first and second legs.” Applicants submit that this amendment obviates the rejection under 35 USC 112, second paragraph.

Claims 1-3 and 7-11 are rejected under 35 USC 102(b) as anticipated by Piaget et al. (USP 5,419,747). Claims 3 and 9-11 have been canceled. Applicants request withdrawal of this rejection of claims 1, 2, 7, and 8 for at least the following reason.

Claim 1, as amended, defines a swing that includes a seat. Piaget et al. does not teach or suggest a seat. For at least this reason, Applicants submit that claims 1, 2, 7 (now dependent from claim 1), and 8 are not anticipated under 35 USC 102(b) by Piaget et al.

Claims 1, 3, 5, 7-11, and 14 are rejected under 35 USC 102(b) as anticipated by Potyondy (USP 4,036,489). Claims 3, 9-11, and 14 have been canceled. Applicants request withdrawal of this rejection of claims 1, 5, 7, and 8 for at least the following reason.

Claim 1, as amended, defines a swing that includes “first and second swing handles rotationally coupled to the first and second housings, respectively, and to the first and second

hanger arms, respectively.” Potyondy does not teach or suggest such swing handles. Potyondy’s crank handles 13 are fixedly coupled to the swing bars 37 via top cross bar 12. For at least this reason, Applicants submit that claims 1, 5, 7 (now dependent from claim 1), and 8 are not anticipated under 35 USC 102(b) by Potyondy.

Claims 17, 18, and 20-22 are rejected under 35 USC 102(b) as anticipated by Krueger et al. (USP 4,948,120). Claims 17 and 18 have been canceled. Applicants request withdrawal of this rejection of claims 20-22 for at least the following reason.

Claim 20, as amended, defines a swing that includes “a power supply and a motor to drive the swinging motion of the seat.” Krueger et al. does not teach or suggest a power supply or a motor. For at least this reason, Applicants submit that claims 20-22 are not anticipated under 35 USC 102(b) by Krueger et al.

Claims 7, 15, and 16 are rejected under 35 USC 102(b) as anticipated by Pinch et al. (USP 5,378,196). Claim 15 has been canceled. Applicants request withdrawal of this rejection of claims 7 and 16 for at least the following reason.

Claim 1, from which claims 7 and 16 depend, defines a swing that includes “first and second swing handles rotationally coupled to the first and second housings, respectively, and to the first and second hanger arms, respectively.” Pinch et al. does not teach or suggest such first and second swing handles. For at least this reason, Applicants submit that claims 7 and 16 are not anticipated under 35 USC 102(b) by Pinch et al.

Claims 19 and 23 are rejected under 35 USC 103(a) as unpatentable over Krueger et al. Claim 19 has been canceled. Applicants request withdrawal of this rejection of claim 23 for at least the following reason.

Claim 20, from which claim 23 depends, defines a swing that includes “a power supply and a motor to drive the swinging motion of the seat.” Krueger et al. does not teach or suggest a power supply or a motor. For at least this reason, Applicants submit that claim 23 would not have been rendered obvious under 35 USC 103(a) in view of Krueger et al.

Claims 1 and 6 are rejected under 35 USC 103(a) as unpatentable over Potyondy in view of Pinch et al. Applicants request withdrawal of this rejection for at least the following reason.

As mentioned above, Potyondy does not teach or suggest “first and second swing handles rotationally coupled to the first and second housings, respectively, and to the first and second hanger arms, respectively,” as defined in claim 1. Pinch et al. does not cure this deficiency of Potyondy. For at least this reason, Applicants submit that claims 1 and 6 would not have been rendered obvious under 35 USC 103(a) by Potyondy in view of Pinch et al.

Applicants have added new claim 24 to this application. Applicants submit that claim 24, which ultimately depends from claim 1, is allowable over the applied references for at least the same reasons as claim 1.

Applicants believe that the present application is now in condition for allowance. Favorable reconsideration of the application as amended is respectfully requested.

The Examiner is invited to contact the undersigned by telephone if it is felt that a telephone interview would advance the prosecution of the present application.

The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 CFR 1.16-1.17, or credit any overpayment, to Deposit Account No. 19-0741. Should no proper payment be enclosed herewith, as by a check being in the wrong amount, unsigned, post-dated, otherwise improper or informal or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 19-0741. If any extensions of time are needed for timely acceptance of papers submitted herewith, Applicants hereby petition for such extension under 37 CFR 1.136 and authorize payment of any such extensions fees to Deposit Account No. 19-0741.

Respectfully submitted,

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